UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,169	07/17/2000	Brent E. Pearson	255/081	7640

				EXAMINER
34313	7590	10/21/2003		SPOONER, LAMONT M

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ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/617,169	PEARSON ET AL.
	Examiner	Art Unit
	Lamont M Spooner	2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☒ Claim(s) *3* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3* .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 07/17/2000 fails to comply with 37

CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each

publication or that portion which caused it to be listed; and all other information or that

portion which caused it to be listed. Castillo et al. is not considered because there isn't a

copy of the reference included in the information disclosure statement.

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they include the following reference sign not mentioned in the description: Item

215 Figure 2. A proposed drawing correction, corrected drawings, or amendment to the

specification to add the reference sign in the description, are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings will

not be held in abeyance.

2.   The drawings are objected to because they fail to show Element 510 in Fig. 5b,

Element 650 in Fig. 8b and 8c as described in the specification and because all

scripting in Fig. 5a,b,c, and 8a,b,c must be enclosed in order to indicate them as

drawings. A proposed drawing correction or corrected drawings are required in reply to

the Office action to avoid abandonment of the application. The objection to the

drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because on page 7 it contains an embedded

hyperlink and/or other form of browser-executable code. Applicant is required to delete

the embedded hyperlink and/or other form of browser-executable code. See MPEP §

608.01.

4.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required: Define "translation direction" which is mentioned in claim 3.

Claim Objections

5.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required: "Translation direction" is undefined. The interpretation

henceforth will be the direction of language translation as in English to Spanish (Fig. 4

item 435).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1, 4, 9, 11, 16 and 17 are rejected under 35 U.S.C. 102(e) as being

anticipated by Martinez, US Patent No. 6,493,003 filed January 29, 1999.

As per **claim 1**, Martinez discloses a system for language translation comprising:

a translation window (Fig 8 item 803) that is created by a program (Col.4.lines

46, 47:Col.6.lines 54-56) associated with a primary web page (Col.6.line 55) and is

opened in conjunction with a web page window (Col.6.line 54) containing a secondary

web page (Col.6.line 54) wherein the translation window and the web page window are

positioned and sized so that the translation window and the web page window fit on one

user-viewable screen without overlapping (Fig 8, window 801 and 803).

an input field (Fig 8, in window 801) for a user to provide information in a first

language.

a translator (Col.6.lines 57-60) that is linked to a translation dictionary database.

an output field comprising information in a second language corresponding to a

translation of the information in the first language (Fig 8, window 803 "do you speak

English?").

As per **claim 4**, Martinez discloses all of the limitations of claim 1. Martinez

further discloses a system wherein:

the input field accepts as information a word or phrase in the first language (Fig8,

window 801 "I'm relying on a ...").

As per **claim 9**, Martinez discloses all of the limitations of claim 1. Martinez

further discloses a system wherein:

the secondary web page (Fig 8, window 801) is replaced (Col.4.line 20-23, the browser program will access different web pages) by a tertiary web page (Fig 8, window 801-the secondary web page window that is to be replaced) in the web page window while the translation window (Fig 8, window 803) remains open, and wherein the web page window containing the tertiary web page and the translation window fit on a screen without overlapping (Fig 8, window 801 and 803 pertains to same screen, Col.6.line 54).

As per **claim 11**, Martinez discloses a method for language translation comprising:

providing a translation window (Fig 8 item 803) that is generated by a program (Col.4.lines 46, 47:Col.6.lines 54-56) associated with a primary web page (Col.6.line 55): Opening the translation window in conjunction with a web page window (Fig 8, window 801 and 803):

adjusting the size and position of the translation window so that the translation window and the web page window fit on one user-viewable screen (Fig 8, window 801 and 803):

receiving input information in a first language (Fig 8, window 801 "I'm relying ..."):

translating the input information form the first language to information in a second language (Col.6.lines 57-60): and

outputting the information in the second language (Fig 8, window 801).

As per **claim 16**, Martinez discloses all of the limitations of claim 11. Martinez further discloses:

maintaining the web page window with any web page hosted on the Internet (Fig

8, window 801 and 803).

As per **claim 17**, Martinez discloses all of the limitations of claim 11. Martinez

further discloses:

executing the program associated with the primary web page to translate

information from any web page hosted on the Internet (Fig 8 windows 801 and 803,

Col.6.lines 54, 55, 57-60).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 2, 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Martinez in view of Park et al. US Patent number 6,064,951 filed January 12, 1998.

As per **claim 2**, Martinez discloses a system comprising of all the limitations of

claim 1 upon which claim 2 depends. Martinez does not explicitly disclose:

the translation window comprises the input field and the output field.

Park et al. discloses that:

the translation window comprises the input field (Fig 2, "FIRST-LANGUAGE

QUERY INPUT WINDOW") and the output field (Fig 2, "TARGET LANGUAGE QUERY

OUTPUT WINDOW"-Col.3.lines 63-67).

Martinez and Park et al. are analogous art because they are both in the computer information display field. Therefore it would have been obvious to a person skilled in the art to combine Martinez with Park et al. The motivation for combining Martinez with Park et al. is to have the translation window accept input and output while having the secondary web page window open and available to browse.

As per **claim 3**, Martinez discloses a system comprising of all the limitations of claim 1 upon which claim 3 depends. Martinez does not disclose:

the translation window comprises a translation direction field.

Park et al. discloses that:

the translation window (Fig 2) comprises a translation direction field (Fig 2, "TOOL BOX WINDOW", Col.3.lines 60-62).

Martinez and Park et al. are analogous art because they are both in the computer information display field. Therefore it would have been obvious to a person skilled in the art to combine Martinez with Park et al. The motivation for combining Martinez with Park et al. is to have the choice of translation direction while having the secondary web page window open and available to browse.

As per **claim 5**, Martinez discloses a system comprising of all the limitations of claim 1 upon which claim 5 depends. Martinez does not disclose:

a system wherein the input field accepts as information one to five words at a time.

Park et al. discloses that:

the input field accepts as information one to five words at a time (Fig. 7

Col.7.lines 15, 16).

Martinez and Park et al. are analogous art because they are both in the computer

information display field. Therefore it would have been obvious to a person skilled in the

art to combine Martinez with Park et al. The motivation for combining the method of

input of information to the translation window is to have accurate and easier methods of

data input.

As per **claim 6**, Martinez discloses a system comprising of all the limitations of

claim 1 upon which claim 6 depends. Martinez does not disclose:

the input field accepts as information a single word at a time in the first language

Park et al. discloses that:

the input field accepts as information a single word at a time in the first language

(Col.3.lines 62-65).

Martinez and Park et al. are analogous art because they are both in the computer

information display field. Therefore it would have been obvious to a person skilled in the

art to combine Martinez with Park et al. The motivation for combining the method of

input of information to the translation window is to have accurate and easier methods of

data input.

9.   **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez

in view of Park et al. as applied to claim 1 above, and further in view of "Welcome to

the new R-O-Matic Italian/English Dictionary."

"Welcome to the new R-O-Matic Italian/English Dictionary" demonstrates the

choice of a search modifier from a group of search modifiers comprising of "exact

match," "contains," and "starts with." Therefore it would have been obvious to a person

skilled in the art to combine Martinez with "Welcome to the new R-O-Matic

Italian/English Dictionary." The motivation for using the search modifier is to broaden

the chance of finding the desired translation.

10.   **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez

in view of Park et al. as applied to claim 1 above, and further in view of "Word Perfect

3.5 Creating a Document."

"Word Perfect 3.5 Creating a Document" discloses how to type, drag-and-drop,

and right-click mouse text. Therefore it would have been obvious to a person skilled in

the art to combine Martinez with "Word Perfect 3.5 Creating a Document." The

motivation for using these text-editing methods is to increase input options for the

translator window.

11.   **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Martinez in view of "WordReference." As per claim 10, Martinez discloses a system for

language translation on the internet, comprising:

a translation window (Fig 8 item 803) that is generated by a program (Col.4.lines

46, 47:Col.6.lines 54-56) associated with a primary web page (Col.6.line 55) and is

opened in conjunction with a web page window (Col.6.line 54) containing a secondary

web page (Col.6.line 54) wherein the translation window and the web page window are

positioned and sized so that the translation window and the web page window fit on one

user-viewable screen without overlapping (Fig 8, windows 801 and 803).

an input field (Fig 8, window 801) for a user to supply one word in a first

language.

a translator that is linked to a translation dictionary database (Col.6.lines 57-60)

accessible through the Internet (Fig 8, Col.6.lines 57-62).

an output field (Fig 8, window 803).

Martinez does not disclose:

the output field comprises of one or more definitions of the one word in a second

language.

However, as it is well known in the art, "WordReference" teaches the output field

comprises of one or more definitions of the one word in a second language.

Martinez and "WordReference" are analogous because they are both of the

language translation field. Therefore it would have been obvious to a person skilled in

the art to combine Martinez with "WordReference." The motivation for combining

Martinez with "WordReference" is to obtain a language translation system that outputs

one or more definitions of a word in a second language in order to enable verification of

the translation.

12.   Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Martinez in view of Park et al. US Patent number 6,064,951 filed January 12, 1998.

As per **claim 12**, Martinez discloses a method comprising of all the limitations of

claim 11 upon which claim 12 depends. Martinez does not explicitly disclose:

receiving the input information from the first language and outputting the

information in the second language are performed via the translation window.

Park et al. discloses a method comprising:

reception of input information from the first language and outputting the

information in the second language are performed via the translation window (Fig 2-

Col.3.lines 63-67).

Martinez and Park et al. are analogous art because they are both in the computer

information display field. Therefore it would have been obvious to a person skilled in the

art to combine Martinez with Park et al. The motivation for combining Martinez with Park

et al. is to have the translation window adjustable and able to accept input and output

while having the secondary web page window open and available to browse.

As per **claim 13**, Martinez discloses a method comprising of all the limitations of

claim 11 upon which claim 13 depends. Martinez does not disclose:

a translation direction field.

Park et al. discloses a method comprising:

a translation direction field (Fig 2, "TOOL BOX WINDOW", Col.3.lines 60-62).

Martinez and Park et al. are analogous art because they are both in the computer

information display field. Therefore it would have been obvious to a person skilled in the

art to combine Martinez with Park et al. The motivation for combining Martinez with Park

et al. is to supply translation direction while having the secondary web page window
open and available to browse.

13.   **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over
Martinez in view of Park et al. as applied to claim 11 above, and further in view of
"Welcome to the new R-O-Matic Italian/English Dictionary."

"Welcome to the new R-O-Matic Italian/English Dictionary" demonstrates the
choice of a search modifier from a group of search modifiers comprising of "exact
match," "contains," and "starts with." Therefore it would have been obvious to a person
skilled in the art to combine Martinez with "Welcome to the new R-O-Matic
Italian/English Dictionary." The motivation for using the search modifier is to broaden
the chance of finding the desired translation.

14.   **Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over
Martinez in view of Park et al. as applied to claim 11 above, and further in view of "Word
Perfect 3.5 Creating a Document."

"Word Perfect 3.5 Creating a Document" discloses how to type, drag-and-drop,
and right-click mouse text. Therefore it would have been obvious to a person skilled in
the art to combine Martinez with "Word Perfect 3.5 Creating a Document." The
motivation for using these text-editing methods is to increase input options for the
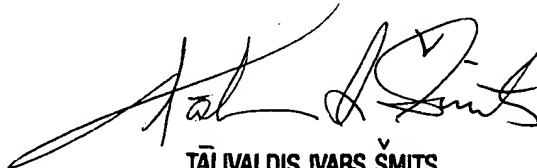translator window.

Conclusion

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M Spooner whose telephone number is 703/305-8661. The examiner can normally be reached on M-F 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 703/305-9645. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

lms
10/08/2003

TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER